

# **Upper Mystic River Restoration**

**BWSC-NRD-2015-02**

**COMMBUYS Bid#: BD-15-1045-BWSC0-BWSC1-  
00000005835**

## **Applicant Conference**

**Karen I. Peltó**

**Natural Resource Damages Assessment &  
Restoration Program**

**MassDEP**

**October 27, 2015**

**Senior Center/Central School  
Arlington, Massachusetts**



# Topics for Upper Mystic River Restoration

- **Meeting Purpose**
  - Applicants' Conference
  - State Grants
- **Upper Mystic Restoration**
  - J.P. Noonan NRD Settlement
  - Funding Availability
  - Restoration Examples
- **Eligibility**
  - Geographic Focus Area
  - Projects
  - Applicants
  - Grant
- **Grant Application**
  - Timeline
  - Submitting Applications
  - Project/Application Review Criteria
    - Eligibility
    - Evaluation
- **Grant Awards**
- **Questions**



# Applicants' Conference

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- **Communication – can:**

- Provide information about the Grant Announcement and Application (GAA)
- Respond to Questions regarding the GAA – at Applicants' Conference and received in writing by November 6, 2015

- **Communication – cannot:**

- Provide feedback regarding potential projects
- Applicants are prohibited from communicating directly with any employee of the procuring department or any member of the Grant Review Team...and no other individual Commonwealth employee or representative is authorized to provide any information or respond to any question or inquiry concerning this Grant Announcement.



# State Grants

- **Massachusetts Natural Resource Damages Trust**

- Acts of 2011, Chapter 9, Section 22

- Expenditures may be made from the trust, without further appropriation, for the purposes of funding natural resource restoration, replacement or acquisition of equivalent natural resources...
- Expenditures may also be made from the trust, without further appropriation, for the purposes of funding other actions related to natural resource damages including...grants to public and nonpublic entities...



# State Grants

- **Governing this procurement:**
  - 815 CMR 2.00, Grants and Subsidies
  - Massachusetts Office of the Comptroller Policy: State Grants, Federal Sub-Grants and Subsidies (9/8/14)
- Grant - funds of financial assistance provided under contractual terms to assist the grantee in achieving a public purpose to benefit the general public consistent with the Department's legislative authority.
- 815 CMR 2.00 enables a department to provide grants of financial assistance to public or quasi-public entities, even if the grant performance includes contract-like services (program management, consultant services, etc.) provided the primary goal of the funding is to achieve a public purpose rather than fulfilling an administrative or operational need.



# Upper Mystic River Restoration Overview

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- **J.P. Noonan Transportation, Inc.**
  - October 16, 2014 settlement agreement associated with May 31, 2013 release of 9,600 gallons of No. 2 fuel oil that impacted the Mystic River in Arlington and Medford.
- **Available Funding**
  - **\$55,100 for Upper Mystic River Restoration**
- **Trustee**
  - Commonwealth of Massachusetts
    - Secretary of Energy and Environmental Affairs (EEA)
      - Represented by MassDEP



# Upper Mystic River Restoration Overview

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- Injured Trust  
Resources: Mystic River  
and shoreline habitat,  
biota, surface waters
- Trustee: MA Executive  
Office of Energy and  
Environmental Affairs  
Secretary





# Restoration Example: T/V Posavina Oil Spill

- **Injuries:**

- Shoreline
- Wetlands/salt marsh



- **Restoration:**

- Mill Creek Salt Marsh





# Upper Mystic River Restoration Eligible Geographic Focus Areas

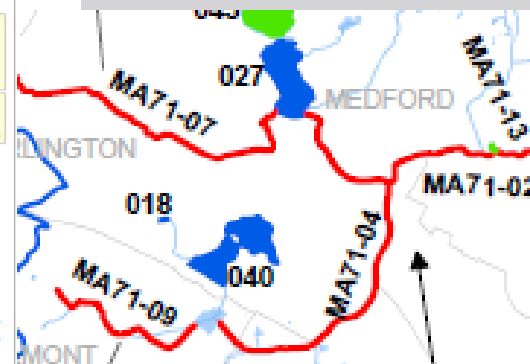
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- **Mystic River Watershed**

- For the purpose of this Grant Announcement, the eligible section of the Mystic River (Segment MA71-02) is from the Outlet of Lower Mystic Lake (Segment MA71-027) to the confluence with Alewife Brook (MA71-04). The Mystic River watershed is delineated and described in the “MYSTIC RIVER WATERSHED AND COASTAL DRAINAGE AREA 2004-2008 WATER QUALITY ASSESSMENT REPORT” (Report Number: 71-AC-2), Massachusetts Department of Environmental Protection, Division of Watershed Management, Worcester, Massachusetts, March 2010.
- The link to this document is:  
<http://www.mass.gov/eea/docs/dep/water/resources/71wqar09/71wqar09.pdf>.



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Mystic River Watershed 2004-2008 Water Quality Assessment Report 71wqar08.doc DWM CN170.2

# Upper Mystic River Eligible Projects

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- **Eligible Projects Must:**

- Restore water quality in the geographic focus area.
- Have a strong link to natural resources and the services they provide to ecosystems and humans that were injured by the spill or release.
- Be a tangible on-the-ground restoration project.
- Be consistent with federal, state, or local law, regulation or policies.
- Restore or enhance the function of water-dependent ecosystems by implementing measures to improve water quality in the segment of the Upper Mystic River described in previous slides.
  - May include water quality improvements to address the degradation of aquatic habitats
  - May include components to improve community capacity for ongoing stewardship



# Upper Mystic River Additional Eligibility Criteria

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- **Eligible Projects Must Not:**

- Restore water quality solely outside of the geographic focus area.
- Be subject to an independent, prior legal obligation to perform the project.
- Be a proposal to conduct a study for a future restoration project or for research purposes.
- Be located on a site so contaminated or degraded as to absorb significant amount of the potentially allocated costs for cleanup as relative to restoration.
- Use funds for continued operation, maintenance or support of an existing restoration project or natural resource.



# Who Can Apply?

- **Public entities**

- state or local government including a county, municipality, local public authority, school district, special district, district commission, regional government, any agency or instrumentality of government, and state authorities

- **Non-public entities**

- individuals, partnerships, and corporations (private, non-profit, quasi-public, or corporate body politic)
- 
- Organizations based outside the eligible geographic focus area are eligible to apply so long as the proposed restoration project takes place within the project area.
  - Partnerships and collaborative efforts between organizations are encouraged.
  - Eligible applicants may submit more than one application for distinct restoration projects.



# Grant Application

- Grant announcement posted on COMMBUYS  
<http://www.commbuys.com/bsu/> on October 14, 2015
  - Search using “Contract & Bid Search” (Bid)
  - “nrd” in description field
  - Commodity code for Grants 00-00-00
- Grant announcement/application posted on MassDEP NRD website on October 14, 2015
- Updates to be posted on MassDEP NRD website
- <http://www.mass.gov/eea/agencies/massdep/cleanup/nrd/nrd-restoration-funding-opportunities.html>



# Grant Application – Timeline (Estimated)

PROCUREMENT EVENT	DATE
Grant Announcement Posted	October 14, 2015
Applicants' Conference at Central School (Senior Center), 27 Maple Street, Arlington	October 27, 2015; 6:30pm
Deadline for submission of written questions to Mass DEP Grant Contact person (see Section 2B)	November 6, 2015; 5:00pm
Official answers posted on MassDEP website	November 13, 2015; 5:00pm
Grant Application due date	December 11, 2015 at 4:30 p.m.
Announcement of awards on MassDEP Website	February 26, 2016 (estimated)
Contract Start Date	February 26, 2016 (estimated)





# Submitting Applications

- **Application (Attachment A)**

- Includes Applicant Information, Project Information, Checklist for potential Environmental, Social and Economic Impacts

- **Detailed Application Requirements (Attachment B)**

- Work and Cost Plan and Budget Summary Form
  - Serves as the Scope of Work if grant is awarded
  - Provides details on a task basis with associated cost (show on Budget Summary Form or other Table)
  - Relatively small, low-cost projects may include only one or two tasks, where larger, more complex projects may list multiple tasks
  - Community Outreach Plan
    - » Engage community in planning and decision-making
    - » Include specific strategies to reach out to Environmental Justice Communities
- Resumes
- Letters - Commitment from Partners/Confirming Site Access
- Required Forms

# Submitting Applications (continued)

- **Supplemental Terms and Conditions (Attachment C)**
  - Applies to the grant contracts that are issued/awarded
    - Details requirements for invoicing regarding compensation and payment
    - Details conflict of interest and other obligations
- **Conflict of Interest Certification Statement (Attachment D)**
  - Applies to awardees and subcontractors/consultants

# Where do you Submit Applications

- **Application Deadline**

- The Application and all supporting documents must be delivered to MassDEP by **4:30 pm on Friday, December 11, 2015.**

Massachusetts Department of Environmental Protection  
Bureau of Waste Site Cleanup  
One Winter Street, 6<sup>th</sup> Floor  
Boston, MA 02108  
Re: BWSC-NRD-2014-01  
Attn: Karen Pelto



# How will Projects/Applications be reviewed?

- **Eligibility Criteria**
  - Mandatory (described earlier)
- **Evaluation Criteria**
  - Used to prioritize eligible projects
- **Grant Review Team**

# Evaluation Criteria

## Focus Criteria

- **Proximity:** *where is the project located?*
- **Nexus:** *what type of project is it?*

## Benefit Criteria

- *Provide a level of detail within the Project Description sufficient to demonstrate the benefits provided by the project to the natural resources injured by the spill, including examples of similar projects implemented within the Mystic River watershed or a similar urban watershed where benefits have been documented.*

# Evaluation Criteria

## Benefit Criteria (continued...)

- **Magnitude:** *how "big" are the natural resource benefits?*
- **Multiple:** *does your project benefit multiple species, natural resources types and services?*
- **Sustainability:** *how long will the benefits last and how will these benefits be maintained over time?*
- **Consistency w/state, regional or local policies and plans:** *does your project implement one or more public policy recommendations?*

# Evaluation Criteria

## Benefit Criteria (continued...)

- **Community Goals:** *does your project complement one or more community goals or recommendations?*
- **Environmental Justice:** *does your project involve the community in planning and decision-making to maintain and/or enhance the environmental quality of their neighborhoods?*
- **Stewardship:** *will the project result in an "informed citizenry"?*
- **Avoid adverse impacts (environmental, socioeconomic):** *does the project have little to no potential for adverse effects?*





# Evaluation Criteria

## Implementation Criteria

- *Provide a level of detail within the Project Description sufficient to demonstrate how the project will be implemented, including examples of similar projects implemented within the Mystic River watershed or a similar urban watershed where meeting project objectives has been documented.*
- **Technical:** *will it work?*
- **Administrative and Management Capability:** *have you demonstrated capability to successfully implement and complete similar projects?*
- **Site Ownership:** *Is the site publicly owned or are access easements secured?*



# Evaluation Criteria

## Implementation Criteria (Continued)

- **Soundness of Approach:** *how will you do the work?*
- **Measurable Results:** *how will you know it worked?*
- **Level of Difficulty:** *will the public and agencies permit you to do the work?*
- **Reasonableness of Costs:** *is the project cost-effective?*
- **Implementation-oriented:** *are more costs going toward implementation than general support?*
- **Project implementation readiness:** *has the project substantially completed design and permitting?*

# Evaluation Criteria

## Implementation Criteria (Continued)

- **Operation and maintenance needs:** *are appropriate legal, financial, and operational mechanisms in place to conduct stewardship and maintenance to ensure sustained public use benefits?*
- **Leveraging of Additional Resources:** *do you have a range of partners and contributors?*
- **Level of funding and resources needed for project implementation:** *If including matching funds and in-kind services, have you demonstrated that these resources in addition to the funding requested are adequate to complete the work proposed, including potential contingencies?*



# Grant Awards

## Grant Awards

- Single or Multiple Awards as Contract
- Grant Awards will have maximum \$
- Duration:
  - 2 years with 2 one-year renewal options for maximum of 4 years

## Contracts

- Commonwealth Standard Contract
- Commonwealth Terms and Conditions
- Supplemental Terms and Conditions
- Payment
  - Grantees reimbursed for costs/expenses



# Upper Mystic River Restoration

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MassDEP NRD Program Coordinator

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